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AF/1651

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Before the Board of Patent Appeals and Interferences

In re Patent Application of

Atty Dkt.: 249-125

C# M#

NAKAGAWA et al.

Group Art Unit: 1631

Serial No. 09/738,626

Examiner: LY, Cheyne D.

Filed: Monday, December 18, 2000

Date: January 22, 2004

Title: NOVEL POLYNUCLEOTIDES

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Correspondence Address Indication Form Attached.

**NOTICE OF APPEAL**

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the decision dated July 22, 2003 of the Examiner twice/finally rejecting claims 79-83.

(\$ 330.00 )

\$ 330.00

An appeal **BRIEF** is attached in triplicate in the pending appeal of the above-identified application (\$ 330.00 )

\$

Credit for fees paid in prior appeal without decision on merits

-\$ ( )

A reply brief is attached in triplicate under Rule 193(b)

(no fee)

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months; \$1480.00/4 months)

\$ 950.00

**SUBTOTAL** \$ 1280.00

Applicant claims "Small entity" status, enter 1/2 of subtotal and subtract  
"Small entity" statement attached.

-\$ ( )

**SUBTOTAL** \$ 1280.00

Less month extension previously paid on

-\$ ( 0.00)

**TOTAL FEE ENCLOSED** \$ 1280.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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01/23/2004 HDEMESS1 00000021 09738626

01 FC:1253 950.00 0P  
02 FC:1401 330.00 0P

NIXON & VANDERHYE P.C.  
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: 